

FILED**JUL 16 2012**

CLERK, U.S. DISTRICT COURT

By _____
DeputyIN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

RUDY STANKO,

Petitioner,

VS.

UNITED STATES OF AMERICA,

Defendant.

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NO. 4:12-CV-267-A

O R D E R

Petitioner, Rudy Stanko, filed the instant petition for declaratory relief on April 30, 2012, naming as respondent United States of America. The court dismissed the petition on May 23, 2012, pursuant to the authority of 28 U.S.C. § 1915A(b)(1). The court referred petitioner's motion for leave to proceed in forma pauperis on appeal to the United States Magistrate Judge, who issued his findings and conclusions, and a recommendation that the motion be denied. The magistrate judge gave petitioner until July 13, 2012, to file his objections.

Petitioner on July 10, 2012, filed a document titled "Objection to Magistrate, Again, Entering An Appearance Without Consent and/or Waiver With a Request for a Three Judge Panel."¹ As the time for filing his objections has now passed, the court can only conclude that the aforementioned document is intended by

¹By order signed July 10, 2012, the court denied whatever relief petitioner attempted to seek by the filing of this document.

petitioner to be his objections to the magistrate judge's recommended denial of his motion to proceed in forma pauperis on appeal.

In accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the court makes a de novo determination of the magistrate judge's order to which specific objection is made. United States v. Raddatz, 447 U.S. 667, 673-75 (1980). The court's review finds that the petitioner's objections are without merit. The court is satisfied with the magistrate judge's findings. The court therefore overrules petitioner's objections and accepts the magistrate judge's recommendation to deny petitioner's application to proceed in forma pauperis on appeal.

Therefore,

The court ORDERS that petitioner's objections be, and are hereby, overruled.

The court further ORDERS that petitioner's motion to proceed in forma pauperis on appeal be, and is hereby, denied.

SIGNED July 16, 2012.



JOHN MCBRYDE
United States District Judge